

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : INFORMATION

- v. - : 07 Cr. 573 )

BURT L. KOZLOFF, :

Defendant. :

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The United States Attorney Charges:

COUNT ONE  
(Tax Evasion)

Background

1. At all times relevant to this Information, BURT L. KOZLOFF, the defendant, was a resident of Manhattan, in New York County, New York.

2. From in or about at least 1997 through in or about at least 2001, BURT L. KOZLOFF, the defendant, was a financial advisor who developed and promoted hedge funds. During this time period, KOZLOFF was an employee and the president of Select Advisors LLC, an investment advisory firm.

3. During the years 1997, 1999 and 2000, BURT L. KOZLOFF, the defendant, received over \$3.5 million in salary and employee compensation from Select Advisors, LLC.

4. At the times that he was required to file U.S. Individual Income Tax Returns for the tax years 1997 through 2000, BURT L. KOZLOFF resided in the Southern District of New

York and, thus, was required to file federal income tax returns for those calendar years with the Internal Revenue Service.

**The Tax Evasion Scheme**

5. Notwithstanding his receipt of over \$3.5 million during the tax years 1997, 1999, and 2000, BURT L. KOZLOFF, the defendant, failed to timely file U.S. Individual Tax Returns, Forms 1040, with the IRS for the tax years 1997, 1999 and 2000.

6. In or about July 2000 and April 2001, BURT L. KOZLOFF, the defendant, caused his tax return preparer, who was located in Westchester County, New York, to file with the IRS applications for extensions of time to file his U.S. Individual Federal Income Tax Returns, Forms 1040, for the calendar years 1999 and 2000. KOZLOFF falsely represented in these extension applications that he submitted payments totaling \$329,000 toward his anticipated tax liability for the 1999 and 2000 tax years when, in truth and fact, he had submitted no such payments.

**Statutory Allegations**

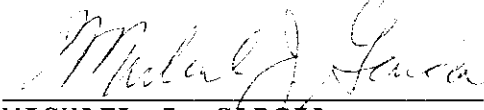
7. From on or about January 1 of each of the calendar years set forth below, through at least on or about the filing date or tax return due date for each said year, in the Southern District of New York and elsewhere, BURT L. KOZLOFF, the defendant, unlawfully, willfully, and knowingly did attempt to evade and defeat a substantial part of the income tax due and owing by him to the United States of America for each of the said

calendar years set forth below by various means, including, among others: (a) knowingly failing to make and file with the IRS U.S. Individual Tax Returns, Forms 1040, for the calendar years set forth below which failed to report taxable income in the amounts set forth below, and (b) causing to be filed with the IRS, materially false and fraudulent information:

Tax Year	Total Taxable	Tax Due
1997	\$340,461	\$135,821
1999	\$2,263,290	\$202,697
2000	\$958,865	\$37,753

(Title 26, United States Code, Section 7201.)

*In violation of  
~~26~~ Title  
 26 U.S. Code  
 Section 7201.*

  
 MICHAEL J. GARCIA  
 United States Attorney